

CONFERENCE OF THE COMMITTEE ON DISARMAMENT

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ENGLISH

FINAL VERBATIM RECORD OF THE FOUR HUNDRED AND NINETIETH MEETING
held at the Palais des Nations, Geneva,
on Tuesday, 25 August 1970, at 10.30 a.m.

Chairman:

Mr. R. CARACCILO

(Italy)

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PRESENT AT THE TABLE

Argentina:

Mr. C. ORTIZ de ROZAS
Mr. A.F. DUMONT
Mr. V.E. BERASATEGUI

Brazil:

Mr. R.E. SARAIVA GUERREIRO
Mr. D.F. NATARIO
Mr. L.F. PALMEIRA LAMPREIA

Bulgaria:

Mr. T. PETROV
Mr. I. PEINIRDJIEV

Burma:

U KYAW MIN

Canada:

Mr. G. IGNATIEFF
Mr. R.W. CLARK

Czechoslovakia:

Mr. M. VEJVODA
Mr. J. STRUCKA
Mr. F. MARESKA

Ethiopia:

Mr. A. ZELLEKE

Hungary:

Mr. I. KOMIVES
Mr. J. PETRAN
Mr. F. GAJDA

India:

Mr. M.A. HUSAIN
Mr. K.P. JAIN

Italy:

Mr. R. CARACCILO
Mr. F.L. OTTIERI
Mr. R. BORSARELLI
Mr. U. PESTALOZZA

Japan:

Mr. H. TANAKA
Mr. H. OTSUKA
Mr. T. SENGOKU
Mr. K. ANDO

Mexico:

Mr. A. GARCIA ROBLES
Mr. M. TELLO

Mongolia:

Mr. D. ERDEMBILEG
Mr. Z. ERENDO

Morocco:

Mr. M.A.A. KHATTABI
Mr. T. KABBAJ

Netherlands:

Mr. H.F. ESCHAUZIER
Mr. E. BOS

Nigeria:

Mr. C.O. HOLLIST
Mr. L.A. MALIKI

Pakistan:

Mr. K. AHMED
Mr. S.A.D. BUKHARI
Mr. T.O. HYDER

Poland:

Mr. W. NATORF
Mr. K. ZYBYLSKI
Mr. A. SKOWRONSKI
Mr. H. STEPOSZ

Romania:

Mr. I. DATCU
Mr. C. MITRAN
Mr. N. CHILIE

Sweden:

Mr. A. EDELSTAM
Mr. R. BOMAN

Union of Soviet Socialist
Republics:

Mr. A.A. ROSHCIN
Mr. I.I. TCHEPROV
Mr. L.A. MASTERKOV
Mr. Y.C. NAZARKINE

United Arab Republic:

Mr. H. KHALLAF
Mr. O. SIRRY
Mr. M.S. DRAZ
Mr. M. ISMAIL

United Kingdom:

Mr. I.F. PORTER
Mr. W.N. HILLIER-FRY
Mr. J.T. MASEFIELD
Mr. R. HOULISTON

United States of America:

Mr. J.F. LEONARD
Mr. A.F. NEIDLE
Mr. W. GIVAN
Mr. R.L. McCORMACK

Yugoslavia:

Mr. M. BOZINOVIC
Mr. M. VUKOVIC

Deputy Special Representative
of the Secretary-General:

Mr. W. EPSTEIN

1. The CHAIRMAN (Italy) (interpretation from French): I declare open the 490th plenary meeting of the Conference of the Committee on Disarmament.
2. Mr. VEJVODA (Czechoslovakia): The problem of general and complete disarmament has received considerable attention in the statements of delegations, not only in connexion with the Disarmament Decade and respective resolutions of the United Nations General Assembly but also from a number of other points of view. It can be said that theoretical questions regarding the drafting of a plan of further disarmament measures have been discussed very thoroughly.
3. At previous meetings of the Committee, views on the clarification of issues connected with the drafting of the disarmament programme have been expressed by the delegations of Japan (CCD/PV.471), the United States (CCD/PV.472), Canada (CCD/PV.473), Italy (CCD/PV.475), the Netherlands (CCD/PV.478), Sweden (*ibid.*), Yugoslavia (*ibid.*), Romania (CCD/PV.485), the Soviet Union (CCD/PV.486), India (CCD/PV.488), Hungary (CCD/PV.489) and others. We should like to point out in our statement, without expressing our agreement or disagreement with what those delegations have said, that we consider as important and useful the aim sought by most delegations: that is, the clarification, first of all, of the fundamental questions -- questions of theory, so to speak -- which should be applied in practice in the drawing-up of the concrete plan.
4. It ensues from many statements concerning questions of general and complete disarmament that many delegations approach that question seriously and warn against hasty actions. For example, the representative of the United States said at our meeting on 23 June: "For unless a measure accords with the realities of world affairs, the measure will not be achieved simply by including in it some sort of schedule." (CCD/PV.472, para. 22). The representative of Canada stated at our meeting on 25 June: "We hope that the Conference of the Committee on Disarmament will not become involved in attempting to draft an elaborate and exhaustive programme for the Disarmament Decade, but will agree on a flexible formula of objectives to be presented to the twenty-fifth session of the United Nations General Assembly..." (CCD/PV.473, para. 11).
5. In this connexion we should also like to recall the statement of the representative of the Netherlands, Mr. Eschauzier, in which he reminded us of the special reservation made by the Netherlands delegation at the twenty-fourth session of the General Assembly of the United Nations to the proposed text of resolution 2502 E (XXIV) (CCD/275), and in which he expressed the position of his country as

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regards the elaboration of the programme for the Disarmament Decade from the point of view of a time limit. He said:

"... we saw this particular task ahead of us as an unfolding pattern rather than as a single exercise -- one short operation, so to speak, which could be successfully completed in the limited period between two consecutive sessions of the General Assembly." (CCD/PV.478, para. 5)

6. The representative of India, Mr. Husain, stressed in his statement at our meeting on 18 August that the 1961 Joint Statement of Agreed Principles for Disarmament Negotiations (ENDC/5) could be the basis for our concrete work on general and complete disarmament (CCD/PV.488, para. 9). That approach seems to be in accord with our opinion that at the present phase of the deliberations the determination of principles can be of the same significance as the drafting of concrete measures. In that respect the Soviet representative, Mr. Roshchin, made an important statement at our meeting on 11 August. In that statement (CCD/PV.486, para. 21) he gave a clear answer to the question of what principles should be followed in the drafting of the programme of further disarmament measures when he emphasized the validity of the 1961 Joint Statement by the Soviet Union and the United States of Agreed Principles for Disarmament Negotiations, which was approved at the sixteenth session of the United Nations General Assembly (resolution 1722 (XVI)).

7. When we consider the programme of further disarmament measures it is necessary to bear in mind constantly that such a plan should be realistic and should correspond to the fundamental views of the majority of participants in the negotiations. We could hardly succeed if we were to make hasty proposals for measures in a field which some participants in the negotiations consider as an inevitable or even vitally important component of their defence. With that is connected the question of the universality of some measures. We cannot expect that a country would accept certain measures without a guarantee that its neighbour would do the same. The representative of Japan referred to this at our meeting on 18 June when he said: "One of the prerequisites for attaining the goal of general and complete disarmament is the participation of all the militarily-important States" (CCD/PV.471, para. 34).

8. Similarly it would not be useful to come forward with proposals which it could be seen at first sight were made, as an old Czech proverb says, in order to let the wolf fill his stomach but the goat remain alive -- that is, measures which would be taken only for the sake of doing something. That would lead to deceiving world opinion;

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and we do not regard as a genuine disarmament measure one which would result only in the destruction of those military materials of which some countries have in any case an unnecessary surplus.

9. It has also been rightly observed here on several occasions that the solution of complicated fundamental questions requiring a political decision cannot be replaced by the production of diagrams and tables and by the determination of fixed time limits within which this or that should be done. In saying that, we do not wish to imply that we would object to the drafting of a programme of further disarmament measures. The socialist countries have put forward a plan of concrete disarmament measures on several occasions. In 1968 it was the Soviet delegation that submitted to the United Nations General Assembly and to our Committee a concrete programme of disarmament measures in its memorandum (ENDC/227).

10. As regards concrete measures at the present time we are of the opinion that, after the Committee has completed work on the draft treaty on the denuclearization of the sea-bed (CCD/269/Rev.2), the next item of primary importance in the programme of further disarmament measures is the question of chemical and bacteriological weapons. We shall of course continue to deal with the problem of the complete demilitarization of the sea-bed; and then there is the question of the prohibition of underground tests and some other latent problems. In our opinion it will be necessary to state in the report to the General Assembly that we have thoroughly discussed, besides other things, a number of theoretical aspects of the programme of further disarmament measures and that we have confirmed the validity of the 1961 Agreed Principles.

11. A great many proposals may emerge as to what should be discussed in the field of disarmament. Therefore it will be necessary to give due consideration to all such proposals before they become an official programme of the Committee. As a matter of fact, the question of priorities in connexion with the drafting of the programme may prove to be as complicated as the drafting itself. It will be necessary to proceed sensitively and prudently, to investigate the views of all participants in the negotiations and to take into consideration all their comments, in the same way as the Committee has considered during the present session the proposals for measures in the field of the denuclearization of the sea-bed. We are prepared to study carefully every initiative in that direction and to give it positive consideration, when all members of the Committee have been duly consulted, if it would correspond to the given situation and would not violate any of the principles agreed in 1961.

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12. The forthcoming interval in the deliberations of our Committee will be filled with intensive work at the General Assembly and also with bilateral and multilateral negotiations. We shall have enough time and sufficient opportunities, therefore, to consider thoroughly the programme for further disarmament measures and to sound out each other's views before the resumption of this Committee's work at the beginning of next year, when we can return to it as the first item on our agenda.

13. We should like to point out also how important it is for the future that all delegations should approach the programme of our work and disarmament measures with as much sincerity as possible — that is, that they should seek solutions, not just excuses and reasons why one or other problem cannot be solved. Thus we come to the question of the so-called political decisions. It is quite clear that no delegation in this Committee can negotiate measures for which it does not have a green light from its Government. That green light is the political decision, which may be accompanied, of course, by various conditions and "ifs". The fundamental decision to achieve one agreement or another often exists, but the problems are so imprecise that it is necessary to clarify them first; or, as one representative said recently — I think at an informal meeting — it is necessary "to render problems into a negotiable form". Our discussion on the problems of the programme for further disarmament measures is certainly an important part of that rendering into a negotiable form.

14. Some delegations raised a question which, in a simplified form, might go something like this: "What first — disarmament, or other measures for the relaxation of tension?". We should like to say a few words about that question at the conclusion of our statement, since we consider its clarification to be an important matter.

15. Recently the argument has often been heard that, before we discuss disarmament, this or that world problem should be solved. We heard such voices before the beginning of the strategic arms limitation talks (SALT); and sometimes we hear them also in our Committee before we start considering a decision of greater importance. But we have also heard the opposite, although not in this Committee: that we should achieve progress on certain disarmament measures before starting negotiations on, for example, regional security. We should like to emphasize that to bind one thing with another is essentially a wrong approach. Discussion as to what should be done first resembles the familiar debate on what came first, the chicken or the egg.

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16. It is certain — and our Committee should keep this principle always in mind — that disarmament negotiations must not wait for some other negotiations; and, again, that the latter must not be made dependent on progress in the field of disarmament. Logically they support each other. We have seen that the very fact that the SALT talks began led to the improvement of the international atmosphere. A similar improvement of the atmosphere in the world was felt, as we all know, after the conclusion of the Treaty on the Non-Proliferation of Nuclear Weapons (ENDC/226*); and certainly we all remember what a significant influence the partial test-ban Treaty (ENDC/100/Rov.1) had on the change of situation in the world. On the other hand, we are convinced that it would help the progress of disarmament negotiations if an agreement were achieved as regards the convening of the conference on European security, without binding it to what should be done first, or to progress in the disarmament field being achieved before such a conference could take place.

17. In his statement on 13 August the representative of the United States informed us (CCD/PV.487, para. 56) that the Foreign Ministers of the member States of NATO had called for discussions on the possibility of achieving a greater degree of security in Europe and had proposed certain disarmament negotiations connected therewith. We welcomed the information given to the Committee on 20 August by the representative of Hungary, Mr. Kömives (CCD/PV.489, para. 81), that the Ministers of Foreign Affairs of the States adhering to the Warsaw Treaty, at their meeting in Budapest in June, had also expressed their views regarding the possibility of achieving a greater degree of security on the European continent. At the meeting of the Consultative Committee of the Warsaw Treaty States held in Moscow on 20 August, all participants expressed their firm determination to take further steps, together with other interested States, towards the strengthening of European security, and to take all available active measures to implement in the nearest possible future the proposal to convene the all-European conference.

18. The Czechoslovak Government attaches great significance to the convening of the conference on European security. It has always striven to contribute to the maximum relaxation of tension in Europe and, as regards disarmament, is prepared to do its best to ensure the success of such disarmament measures as will lead to the attainment of the goal of general and complete disarmament, which is shared by the peoples of the whole world.

19. Mr. AHMED (Pakistan): In my statement today I should like to express the views of the Pakistan delegation on the question of general and complete disarmament. In its resolution 2602 E (XXIV) (CCD/275) the General Assembly urged the Conference of the Committee on Disarmament to continue intensive negotiations with a view to reaching the widest possible agreement on collateral measures, and to work out at the same time a comprehensive programme dealing with all aspects of the problem of the cessation of the arms race and general and complete disarmament under effective international control, which would provide the Conference with a guideline to chart the course of its further work and its negotiations.

20. The goal of general and complete disarmament remains as distant as ever. We live in a world of hard realities; and it is essential, therefore, to recognize the close interdependence of international peace and security and general and complete disarmament. If our efforts to bring about general and complete disarmament are not to remain a theoretical exercise, they must be accompanied by concrete steps towards a peaceful world. Here, I might also recall the first of the principles agreed in 1961 by the United States and the USSR and approved by the General Assembly: that —

"(a) disarmament is general and complete and war is no longer an instrument for settling international problems, and (b) such disarmament is accompanied by the establishment of reliable procedures for the peaceful settlement of disputes and effective arrangements for the maintenance of peace in accordance with the principles of the United Nations Charter." (ENDC/5, p. 1)

It is evident that what is required initially is the undertaking of confidence-building measures which would create an international atmosphere conducive to the achievement of the goal of general and complete disarmament. It is only by creating mutual confidence among nations through effective measures designed to remove the real causes of conflicts and contentions that a beginning can be made.

21. We believe that it is steadfast adherence to the principles of the United Nations Charter and abiding respect for its provisions that will enable nations to generate mutual confidence. We must first resolve to carry out honestly and faithfully our obligations under the United Nations Charter, and take all necessary steps in accordance with the letter and spirit of the Charter to settle the differences that vitiate the political climate and prevent the strengthening of mutual confidence.

22. It is in large measure a fact that there has been little progress in recent years in promoting just and peaceful solutions of disputes and situations which constitute a danger to international peace and security. The existence of such

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disputes poses a threat to world peace, and we believe that their solution in accordance with the provisions of the United Nations Charter and international agreement would be a great positive factor for peace. Here I should like to quote the following from the statement of the representative of Sweden, Mrs. Myrdal, on 14 July:

"... we should from now on specifically seek to introduce in a comprehensive programme for disarmament direct correlation with other United Nations activities. Pari passu with disarmament, a strengthening must take place of the United Nations machinery for establishing friendly relations; for settling disputes; for keeping a watch on conflicts brewing; for equipping task forces to observe and, in accordance with specific mandates, supervise standstill agreements, contested frontiers, evacuation of troops, national elections in formerly-contested areas; and for other peace-keeping activities in general."

(CCD/PV.478, para. 30)

23. While sharing that view my delegation would like to point out that it is not enough for the peace-keeping measures to be strengthened; it is equally if not more important that the peace-keeping measures should also be elaborated. The United Nations machinery should be strengthened not only to supervise elections in formerly-contested areas, but also to translate into reality the inalienable right to self-determination of peoples under alien rule. We are also of the view that the United Nations machinery for achieving decolonization and the elimination of racial and religious discrimination needs to be strengthened.

24. We have today a situation in the world where States, large and small, stand divided and even opposed to each other. In these circumstances it is difficult to visualize significant progress towards the goal of general and complete disarmament unless specific steps have been taken for confidence-building measures and to remove the causes of tensions, global and regional.

25. We believe that the most important step in the field of disarmament is the curbing of the strategic nuclear arms race, and nuclear disarmament. In this respect the bilateral talks between the USSR and the United States on strategic nuclear arms limitation (SALT) are of vital importance. From reports in the Press it appears that progress has been made; and we sincerely hope that a mutually-acceptable solution will be found.

26. An important factor which has hampered real progress in the field of disarmament, especially nuclear disarmament, is the absence of France and the People's Republic of China from disarmament negotiations. We believe it is absolutely essential that

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the legitimate rights of the People's Republic of China in all international forums should be restored and that it should be made possible for China to participate in the disarmament negotiations. We also hope that France will take its place in the Conference of the Committee on Disarmament at an early date.

27. My delegation believes that the Conference of the Committee on Disarmament should not allow itself to get bogged down in an attempt to draw up a rigid, comprehensive and all-inclusive disarmament programme with a more or less fixed time-table. The Pakistan delegation feels that the ultimate purpose would be better served if our approach to this programme were flexible and pragmatic.

28. While confirming the ultimate objective of general and complete disarmament and outlining a flexible programme to that end, the Committee should concentrate on objectives which can be spelt out in relation to the specific measures which become ripe for implementation. Those measures include the treaty prohibiting the emplacement of nuclear weapons and other weapons of mass destruction on the sea-bed; the elimination of chemical and biological weapons; the prevention of the further proliferation, both vertical and horizontal, of nuclear weapons; and a treaty on a comprehensive test ban. And, as the Committee proceeds with its task, it could also consider measures that might be negotiated in the future.

29. Representatives in this Committee will recall that Pakistan was among the countries which voted in favour of the General Assembly resolution (2373 (XXII)) commending the non-proliferation Treaty (ENDC/226*). We fully subscribe to its objectives, and it is a matter of satisfaction to us that the non-proliferation Treaty has entered into force. But, as we stated in the General Assembly at the time of the Treaty's adoption, the effectiveness of the Treaty will basically depend on the extent of the adherence it commands. We note with regret that some threshold nuclear Powers have neither adhered to it nor expressed agreement with its objectives.

30. In that context we regard it as essential to draw attention to the fact that the non-proliferation Treaty bans all nuclear explosive devices. It does not recognize any difference -- since there is no difference -- between nuclear weapons and the so-called peaceful nuclear devices. Indeed, the provisions of article V of the Treaty, as well as the statements made in the General Assembly during the debate on the Treaty, especially by the nuclear Powers, leave no doubt that any State which manufactures a so-called peaceful nuclear explosive device does in fact violate the provisions and defeat the objectives of the non-proliferation Treaty. We firmly believe that any attempt by a non-nuclear State to produce and store so-called

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peaceful nuclear explosive devices would create a situation endangering not only the peace and security of the region concerned but ultimately the peace and security of the whole world. My delegation hopes that the Conference of the Committee on Disarmament will recognize the seriousness of the situation and include in its report suitable suggestions for consideration by the General Assembly.

31. Some statements have been made about measures of conventional disarmament on a regional basis. The Pakistan delegation holds the view that, if that problem is to be tackled realistically, we must first devise effective measures to remove the causes of regional tensions and conflicts. Without that first essential step, any approach on a regional basis would be impracticable. For promoting peace in a region, as much as for promoting peace in the world, the States concerned should manifest genuine respect for the rights of others and scrupulously observe, in letter and in spirit, international agreements. It is only then that a beginning towards the elaboration of measures of regional conventional disarmament will become feasible.

32. In conclusion I should like to refer to operative paragraph 6 of General Assembly resolution 2602 E (XXIV). We share the view expressed by the delegations of Brazil and Sweden, and others, that there should be a co-relationship between the savings resulting from measures of disarmament and the channelling of such savings for the economic development of the developing countries.

33. Mr. KHALIL (United Arab Republic): Acknowledging the ever-increasing concern of world public opinion and responding to the wish of the General Assembly, the Conference of the Committee on Disarmament has this year given detailed and productive consideration to the prohibition of chemical and biological warfare. As is known, that particular issue, unlike other disarmament problems, has already been covered by an international instrument, the Geneva Protocol of 1925 (A/7575/Rev.1, Annex VI); and the clear desire has repeatedly been expressed, both in the General Assembly and here in the Conference of the Committee on Disarmament, that the principles and objectives of the Protocol should be strictly observed by all States. Furthermore, the States which have not as yet acceded to or ratified that all-important document have been invited to do so; while the Committee on Disarmament has been requested to give urgent consideration to reaching agreement on further prohibitions to complement the Protocol.

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34. In view of the foregoing, one might have been justified in expecting certain developments to occur which would provide concrete evidence of the seriousness with which the over-all issue was being approached, namely: first, that there would be an increase in the number of new countries adhering to the Protocol -- which did happen, but only to a very limited, I would even say disappointing, extent; second, that States would withdraw the reservations they had made to the Protocol -- but we observe that, on the contrary, some of those States which have recently adhered to the Protocol have done so with reservations; and, third, that a new international instrument would be negotiated to complement the Protocol by dealing with further prohibitions concerning chemical and biological warfare, that is development, production and stockpiling -- and it is that latter point that has chiefly been the object of our deliberations here.

35. Before entering into the subject proper, I should like to point out that that purpose, too, has not yet been achieved. Instead we have been confronted by unilateral statements by some countries regarding their renunciation of biological weapons. While we applaud such steps as being positive, especially in the case of the United States of America -- which has not as yet ratified the Protocol -- we hope nevertheless that they are intended only to bridge the period which still separates us from agreement on a new international and comprehensive instrument, since we believe that such unilateral declarations would bind their proponents only in a political and a moral manner and not in a strictly legal manner. Furthermore, they do not provide for multilateralism or for homogeneity in treatment. Indeed, were we all to renounce unilaterally possession of weapons of mass destruction in a form and by wording of our own particular choice, that might, on the contrary, produce a variety of declarations each substantially different from or contradictory to the other, and thus the elaboration of an international instrument binding on all parties would be even more difficult to achieve.

36. Our extensive discussions regarding the fundamentals to be considered in a new international instrument concerning chemical and biological warfare have uncovered many technical features pertinent to the issue. That has been both important and useful; yet at the same time it has become apparent to all that those particular features are not the only ones in need of our attention. Indeed, side by side with them there are aspects of no less significance, if not of altogether more importance: namely the political aspects.

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37. Moreover, our deliberations here have contributed also towards clarifying points of agreement and of difference. The latter are not, however, of an artificial and a procedural nature, as has been suggested, but have indeed a very substantive content, to such an extent that it is hardly possible for the present to enter into a comparison between the United Kingdom and the socialist approaches as reflected in the respective drafts submitted (CCD/255/Rev.2* and A/7655).

38. Our common study here has, furthermore, clearly indicated, we believe, the desire of the Conference of the Committee on Disarmament to narrow the gap between those opposing positions. That desire has been reflected, though in an insufficient manner, in the amendments subsequently included in the two drafts. It has also been reflected in the wealth of suggestions and ideas that have been advanced during our deliberations with a view to overcoming one or another of the difficulties we have encountered.

39. Turning our attention now to the question of the weapons to be banned in the forthcoming treaty, we should like to remind the Conference that we have stated from the very beginning, together with others, that we prefer that the next agreement should ban both chemical and biological weapons. It is our considered view that the reasons that have made it impossible so far for some countries to subscribe to that position are more of a political than of a technical nature. I shall not discuss here and now the arguments which were put forward in favour of each position, since other delegations have already done so and there really is no need to be repetitive.

40. Nevertheless, we ask ourselves: would it be wise for the Conference of the Committee on Disarmament not to take account of the urgency of reaching agreement on the prohibition of chemical and biological weapons, as requested by the General Assembly and as rightly expected by world public opinion? They are not convinced, and neither are we, that the chemical weapons which are at present stockpiled for immediate use by trained armies and which are being steadily improved upon by an array of scientists and technicians pose a danger less imminent than that posed by biological weapons, which have never been used and which are not likely to be used in the foreseeable future.

41. Thus it would seem to us a logical conclusion that biological weapons, whose use we all agree without exception is a more remote possibility than that of chemical weapons, need not be dealt with alone while allowing the latter to be further developed, further produced and further stockpiled, making their prohibition with every

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day that goes by an ever-more-difficult and complex task to accomplish. To our mind the very arguments put forward by both the United States and the United Kingdom delegations add considerable strength to such a conclusion. Yet we are still asked to give preferential treatment to biological weapons, which pose an uncertain danger, while postponing agreement on chemical weapons, which constitute the most certain of perils.

42. If such an attitude were to be adopted, if once again the Conference of the Committee on Disarmament were to deal with a measure of disarmament by instalments, it would undoubtedly generate a feeling of frustration, if not of anger; and the Conference of the Committee on Disarmament would lay itself open to severe criticism.

43. Having thus referred to the reality of the situation, we now deem to be insufficient the argument that chemical weapons cannot be banned for the present because of severe difficulties in defining the weapons or finding an adequate procedure for verification. Though we do not in the least belittle the difficulties encountered in this respect, we believe that they are not of such a nature as to make the finding of an acceptable solution an impossible enterprise, especially if and when the political will to do so is made available.

44. Our belief that we should ban these weapons simultaneously does not mean, however, that we shall not welcome a flexible approach when the Committee applies itself to drafting the provisions of a treaty, or that the particular and different nature of the two kinds of weapons should not be fully considered whenever necessary, without prejudice of course to the unity of the international instrument we are proposing and the purpose for which it is being drawn up. In that connexion I should like to state that we do not consider that article V of the United Kingdom draft convention, whereby the parties undertake

"... to pursue negotiations in good faith on effective measures to strengthen the existing constraints on chemical methods of warfare" (CCD/255/Rev. 2*), offers adequate guarantees that, in practice, this will produce the urgent result for which we all hope. As a matter of fact, such a pledge seems to us too general in character, since it does not bind those who are prepared to subscribe to it to more than the mere pursuance of negotiations within an indefinite period.

45. Since I am dwelling on the flexible approach to which we all could subscribe, I should now like to comment on the proposal contained in the Moroccan working paper (CCD/295) introduced by the representative of Morocco, Mr. Khattabi, on 28 July

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(CCD/PV.482, paras. 41-47), in which it is suggested that chemical and bacteriological (biological) weapons should be jointly prohibited by one principal legal instrument which would also make provision for their destruction. As for the procedures of verification, each weapon would be dealt with separately. Those concerning bacteriological (biological) weapons would be dealt with in the principal instrument, which would also provide precise terms for a further examination aiming at the conclusion within a fixed period of an agreement on definite verification procedures concerning chemical weapons.

46. It is unnecessary to remind the Conference of the Committee on Disarmament that this proposal was explicitly submitted with a view to helping to reconcile the ideas expressed in the Conference and to searching for a way out of our impasse in the field of verification. There can be no doubt that such a proposal has certain merits, as it avoids many of the difficulties or inconveniences that have been raised by well-meaning suggestions. While preserving the unity of approach, it endeavours to be flexible by giving suitable treatment to both types of weapons. My delegation therefore looks with interest upon such an approach, which could offer a way out if agreement on what constitutes adequate procedures of verification concerning chemical weapons proved, regrettably, to be unattainable in the near future.

47. As regards the scope of the prohibition, in our view it should be as comprehensive as possible and include the full range of both chemical and biological weapons, in order to avoid all the interpretations which have been advanced — wrongly, in the view of the General Assembly — concerning the Geneva Protocol of 1925, and which seek to limit the prohibitions contained therein to lethal weapons only. In other words, we believe that the new provisions should include all chemical and biological weapons, whether lethal, harassing or incapacitating, so that no doubts whatsoever may any longer subsist in that respect.

48. However, the prohibition merely of the weapons, even if it were most comprehensive, would still leave open the issue of the agents of which those weapons in fact are made up. That particular point has caught our interest, and we followed with great attention the highly pertinent analysis in that connexion (CCD/PV.457, paras. 38 et seq.) made by the representative of Sweden, Mrs. Myrdal, on 12 March. Of course, to understand and cover the relationship and implication of agents in connexion with our work here, we should have to go into some technical details. At the same time, we must not blind ourselves to the difficulties which we shall inevitably face where practical application is concerned.

(Mr. Khallaf, United Arab Republic)

49. All that leads me to believe that we need not burden the draft treaty with too many details; and we favour the suggestion, therefore, that they be worked out independently, though joined to the principal instrument. That seems to us to be an almost obligatory procedure, since these agents are in an endless process of development and the way is open to further discoveries which would make additions and amendments to and deletions from any comprehensive list a necessity for the future. It would suffice, therefore, to indicate in the treaty in a general manner how we intend to proceed regarding this matter, while working out the technical details in another form.

50. We believe that, as stipulated in article II of the United Kingdom draft, possession of —

"... such ... ancillary equipment or vectors as have been produced or otherwise acquired for hostile purposes ..." (CCD/255/Rev.2*)

should be prohibited. We favour, too, the inclusion in the treaty of a stipulation providing for the elimination of actual stockpiles, which should take place with certain publicity and within a given time limit after the entry into force of the treaty.

51. I come now to the question of the various stages to be embodied in the prohibition. It is clear that the ban must cover development, production and stockpiles. But, in addition to that, should we once again prohibit the use of chemical and biological weapons in spite of the fact that the Geneva Protocol already sufficiently covers that particular point? According to the United Kingdom draft, we should. It is suggested that there are many advantages to this, such as further strengthening the Protocol, ridding it of the reservations attached to it, and eliminating doubts concerning the range of weapons the use of which is to be prohibited. Without in the least belittling those arguments, we nevertheless tend to prefer that the new instrument should not refer to the prohibition of use, since that was the very purpose of the Geneva Protocol. For the question arises, what would happen to the Protocol were we in another document once again to prohibit use?

52. Furthermore, I would refer to our statement of 26 August 1969, in which we already pointed out (CCD/PV.431, paras. 28-30) the great difficulties that could stem from covering one and the same point in two different international instruments. As for ridding the Protocol of the reservations thereto, as has been suggested, it could be

(Mr. Khallaf, United Arab Republic)

pointed out that there is no assurance — speaking theoretically, at least — that the new instrument too would not have some kind of reservations attached to it. Moreover, a reservation to the Protocol can be withdrawn by the country which made it, and not necessarily through the conclusion of a new international instrument. In addition, it must be remembered that the treaty would provide for the elimination of all stockpiles; thus none of these weapons would be left to be used as a means of deterrence, attack or retaliation, as was so rightly observed (CCD/PV.462, para. 89) by the representative of Nigeria in his statement on 7 April.

53. As regards the issue of verification, we have observed that during our discussions many delegations, if not a majority of them, have followed a general trend, the main points of which could be summarized as follows:

First, chemical weapons cannot be banned without adequate verification.

Secondly, agreement on a procedure for verification, despite apparent difficulties, is not beyond our reach.

Thirdly, verification need not be 100 per cent effective; that would be both unnecessary and impossible of achievement.

Fourthly, verification has both a technical and a political aspect; we must strive as hard as we possibly can to reconcile those two aspects.

Fifthly, the aspects of verification must be considered in such a way as to produce a solution properly adjusted to present-day facts and conditions.

Sixthly, procedures for verification should be both national and international; they should complement one another in the most suitable manner.

54. Having thus interpreted the general direction of the thoughts expressed in the Conference of the Committee on Disarmament on this subject, we feel that verification procedures would have to fulfil two purposes: a preventive one, to seek to ensure that a violation does not occur; and a curative one, to ascertain responsibilities in case a violation has been committed. Benefiting from the many suggestions and ideas put forward in that respect, we believe that these purposes could perhaps be best achieved by the following means.

55. First, each State party to the treaty should take, within a certain period from the entry into force of the treaty, all necessary legal, administrative and other practical measures conducive to ensuring respect for the prohibitions and the elimination of stockpiles of the banned weapons. Furthermore, each party should inform the Security Council, or perhaps an impartial international body agreed upon,

(Mr. Khallaf, United Arab Republic)

of the steps it has taken in this regard, as well as on the completion of the elimination of its stockpiles. That procedure could be reported whenever deemed necessary.

56. Secondly, each State party is to undertake to forward relevant and basic information, to be agreed upon, to the above-mentioned impartial international body with a view to assisting the technical process of verification. Furthermore, existing competent international organs, such as the World Health Organization (WHO), the Food and Agriculture Organization (FAO), and so forth could be called upon for assistance.

57. Thirdly, in case doubt arose concerning the activities of a State, that would have to be reported to the Security Council, which could undertake the necessary investigation measures. A complaint could of course be lodged directly with the Security Council.

58. Those procedures, like in fact the whole treaty, would notably increase in efficacy and credibility if, in accordance with the precedents established, there were to be incorporated into the treaty a provision on withdrawal as well as a provision regarding a review conference. That would be a proper incentive for adherence to the treaty as well as a safeguard ensuring respect for all of the obligations undertaken.

59. I believe it is apparent that there are no new elements in those views; yet to us they seem to a suitable extent to reconcile flexibility with reliability, at least in a first stage — that is, up to the time of the review conference, when we would have to look at their efficacy in the light of the experience gained.

60. We are of course fully prepared to pursue discussion on this matter. In this respect we would join the representative of India, Mr. Husain, in requesting the United States and the United Kingdom delegations, as he did at our plenary meeting on 20 August (CCD/PV.489, para. 21), to concretize their views on how we could make headway on this important matter.

61. Mr. BOZINOVIC (Yugoslavia): I have the honour, on behalf of the delegations of Argentina, Brazil, Burma, Ethiopia, India, Mexico, Morocco, Nigeria, Pakistan, Sweden, the United Arab Republic and Yugoslavia — that is to say, on behalf of the group of twelve countries — to introduce a joint memorandum on the question of chemical and bacteriological (biological) methods of warfare (CCD/310). The document has already been distributed to the delegations and I assume there is no need for me to read it out.

(Mr. Borinovic, Yugoslavia)

62. In introducing this memorandum I should like to state briefly the reason for its submission by the group of twelve, and to draw attention to its main points. The reason for submitting this memorandum lies primarily in the strong belief of those countries that it would be in the general interest of all States for the solution of the complex problem of chemical and biological weapons to be speeded up, and that by submitting the joint memorandum at this stage the twelve countries would contribute to the attainment of that aim.

63. In submitting the memorandum the group has thought it necessary to stress three main points. The first point is the importance and urgency of the solution of the problem of chemical and biological weapons — an importance and urgency which are so widely felt in the world today. The first five paragraphs of this document are devoted to that point.

64. The second point the group wanted to stress is that —

"It is essential that both chemical and bacteriological (biological) weapons should continue to be dealt with together in taking steps towards the prohibition of their development, production and stockpiling and their effective elimination from the arsenals of all States." (ibid., para. 6)

The group also wanted to express its conviction that "an effective solution of the problem should be sought on this basis".

65. The third point made in the joint memorandum is the importance of the solution of the problem of verification. In the view of the group of twelve, this problem should be solved in such a way as "to inspire confidence in the implementation of any agreement in the field of C and B weapons" (ibid., para. 7), and —

"Verification should be based on a combination of appropriate national and international measures, which would complement and supplement each other, thereby providing an acceptable system which would ensure effective implementation of the prohibition."

66. The group of twelve, in submitting this memorandum, would like to express its hope that the approach to the solution of the problem of chemical and biological weapons outlined in the memorandum will prove to be generally acceptable.

67. Mr. LEONARD (United States of America): In our discussions of chemical and biological weapons, considerable interest has been demonstrated regarding the potential usefulness of reporting and data-monitoring procedures of various kinds in the enforcement of a chemical-weapons ban. As a contribution to these discussions our

(Mr. Leonard, United States)

delegation wishes to share with the Committee, in the form of a working paper which is being circulated today (CCD/311), some results of research conducted by the United States Arms Control and Disarmament Agency on the potential of economic monitoring as applied to chemical weapons.

68. Delegations will note that for the sake of economy of presentation, and because nerve gases are particularly important, the research summarized in the working paper focuses on organophosphorous nerve agents. The first part of the paper discusses the operation of a system for monitoring the production and consumption of materials used for the manufacture of nerve agents; the second part deals with what our research has shown to be some of the limitations and problems of economic monitoring; and the final section of the paper offers some preliminary conclusions and comments on the effectiveness of economic monitoring as a verification technique.

69. I shall not elaborate on the working paper in further detail, since I am sure that delegations will want to study it carefully themselves. For our part we would hope that our efforts will be a useful complement to research in this general area which is being conducted by other countries also interested in the various aspects of verifying a ban on chemical weapons.

70. Before concluding I should like also to mention that, in response to requests from a number of other delegations, we should like to make more widely available the text of the presentation by Dr. Joshua Lederberg at our informal meeting on 5 August. I am providing the text to the Secretariat and would ask that it be distributed as a working paper.^{1/}

71. Mr. DATCU (Romania) (interpretation from French): The Romanian delegation would like to express some views concerning the draft treaty on the prohibition of the emplacement of nuclear weapons and other weapons of mass destruction on the sea-bed and the ocean floor and in the subsoil thereof (CCD/269/Rev.2). In dealing with this subject, which has been fully examined during the past three sessions of the Conference of the Committee on Disarmament and at the twenty-fourth session of the United Nations General Assembly, we take as a starting-point resolution 2602 F (XXIV) (CCD/275) of 16 December 1969, which called upon the Committee to study the draft treaty, taking into account the suggestions and proposals made by various States, so that it could be submitted to the General Assembly for completion.

^{1/} Circulated later as document CCD/312.

(Mr. Dăescu, Romania)

72. The Romanian delegation has from the outset declared itself in favour of an agreement on the demilitarization of the sea-bed and the ocean floor. Our views on the criteria which should form the basis of the establishment of such an international instrument, as well as proposals concerning the content of the document, have been presented in earlier statements of the Romanian delegation in the Committee on Disarmament and during debates in the United Nations. As we have already had occasion to state, an international regulation on the prohibition of military activities on the sea-bed should, as we see it, meet a number of principal requirements, among which are the following:

It should prevent the extension of the dangerous and costly competition in armaments to an extremely vast area of our planet, while at the same time it should, as a collateral measure, contribute to the establishment of favourable conditions for the conclusion of disarmament agreements proper.

It should be integrated in wider international action aimed at the use of the sea-bed and the ocean floor for exclusively peaceful purposes and development of the riches of that environment to meet the needs of peace, progress and the well-being of the peoples of the world.

The agreements designed to achieve the military prohibition and to promote the peaceful use of the sea-bed and the ocean floor should be based upon the purposes and principles of the United Nations Charter, as laid down in the resolutions adopted by the General Assembly in the past few years.

The status of the zone as one excluded from the sphere of the arms race in the environment of the sea-bed and the ocean floor can be established and applied solely by strictly respecting the sovereign rights and legitimate interests of the various States concerning the territorial seas and the continental shelf, and the principle of freedom of the high seas.

Lastly, to be viable and effective and completely to fulfil its purpose, an international regulation in this field, being in the interest of the whole community of nations, will require the co-operation and agreement of all States concerned, in conformity with the principle of universality.

73. Accordingly, since this is a question of general interest the solution of which involves varied political, economic, legal and security aspects, the process of drafting a treaty prohibiting the emplacement of nuclear weapons and other weapons of mass destruction on the sea-bed and the ocean floor must, of course, ensure that

(Mr. Datcu, Romania)

due account is taken of the positions and rights of all the parties, in conditions of complete equality. All that represents, moreover, a guarantee of the effectiveness and strength of any international agreement.

74. The detailed debates on all the provisions of the future treaty, the large number of constructive proposals and amendments that have been made by various delegations, and the positive spirit in which the delegations of the Soviet Union and the United States have throughout this process submitted new and better versions of the initial document, all contribute to the drafting of a text meeting more and more closely the requirements of such an agreement.

75. As can be seen from a detailed analysis of the text presented on 23 April (CCD/269/Rev.2), efforts will have to be made with even greater perseverance to fill in certain omissions and reformulate certain provisions, in order to satisfy the justified demands expressed in the Committee and thereby to bring about increasing adherence to the document. That is what is expected of the new, revised form of the draft treaty.

76. I should now like to present some comments on behalf of my delegation concerning the basic provisions of the operative part of the draft treaty in its revised form of 23 April.

77. Concerning the nature of the prohibition as set forth in article I, we wish to recall that Romania, along with a large number of other States, has supported the solution prohibiting all military activities on the sea-bed and the ocean floor by a treaty on total demilitarization. Since at this stage it has not been possible to fulfil that purpose by means of a single instrument, we consider that, as we have already had occasion to emphasize, it is important to spell out in the operative part of the treaty the final aim of the negotiations, namely complete demilitarization, and the obligation on parties to continue in good faith the efforts towards that end. That approach is shared by virtually all the members of the Committee. To incorporate it in the treaty, as has been done in a number of other agreements concluded in recent years, would be tantamount to maintaining the question of demilitarization of the sea-bed and the ocean floor within the sphere of negotiations, in the perspective of its total solution.

78. These are the reasons why the Romanian delegation supports the amendment contained in paragraph 3 of the working paper submitted on 30 July by a number of non-aligned countries, which provides for incorporation in the text of the draft treaty of a new article reading as follows:

(Mr. Dăcu, Romania)

"Each of the parties to the treaty undertakes to continue negotiations in good faith on further measures relating to a more comprehensive prohibition of the use for military purposes of the sea-bed and the ocean floor and the subsoil thereof". (CCD/297)

For the same motives and with the same end in view we are in favour of the procedural solution, also supported by other delegations, whereby the item dealing with demilitarization of the sea-bed and ocean floor — the item included in the provisional agenda adopted on 15 August 1969 (ENDC/236, p. 3) — would be retained on the agenda of the Committee.

79. Another comment of the Romanian delegation has to do with the special value of the clause in article IV which, as its principal point, makes clear in relevant terms that none of the provisions of that agreement can or should prejudice in any way whatever the rights of States, recognized by international law, over their territorial sea and continental shelf.

80. At the same time it seems to us important that the draft we are discussing should contain in a separate article a clause providing that, five years after the entry into force of the treaty, a conference of the States parties should be convened to examine how its principles and provisions are being implemented, taking into consideration the developments which have taken place as a result of the progress of science and technology.

81. An analysis of article III of the draft, which deals with verification of the obligations assumed under the treaty by the States parties, reveals — apart from certain acceptable elements of the verification system — the persistence of omissions which have given rise to well-founded objections by the representatives of several States. The first objection to the present wording of article III relates to the omission of any reference to the possibility of recourse to appropriate international machinery to verify the obligations that have been assumed and to solve disputes concerning implementation of the treaty. The proposed methods of verification thus seem, as has frequently been emphasized during the negotiations, incomplete and disadvantageous to the smaller States.

82. For its part, the Romanian delegation has from the outset of the negotiations in 1969 expressed itself in favour of the establishment of international control machinery capable of giving all States a fair chance to participate in the verification of obligations (ENDC/PV.424, para. 85). I would recall that at our meeting on 4 September 1969 the Romanian representative stated:

(Mr. Dăcu, Romania)

"We are convinced that the verification system thus conceived would be both effective and impartial by offering all parties the guarantee that the provisions of the treaty would be implemented in accordance with their spirit and their letter. At the same time it would create conditions for effective participation in the exercise of control by small and medium-sized countries which, in view of the technological gap separating them from the major Powers, do not have the necessary means to make sure by themselves that the agreement to which they are parties is respected." (CCD/PV.434, para. 16)

83. For those reasons we express our agreement with the proposal contained in the working paper I have mentioned (CCD/297), submitted by the delegations of Burma, Ethiopia, Mexico, Morocco, Nigeria, Pakistan, Sweden, the United Arab Republic and Yugoslavia on 30 July and advocating the incorporation in article III of the right of States parties to the treaty to undertake verification operations through, in particular, appropriate international procedures within the United Nations and in accordance with its Charter.

84. Another question which has not yet been properly solved is that of the formulation of the sovereign rights of coastal States over their continental shelves. The statement made by the Romanian representative at the meeting of the Committee on 4 September 1969 declared in regard to this aspect, to which the Romanian delegation attaches particular importance:

"In so far as the control provisions are concerned, we consider that particular attention will have to be given to their effects on the continental shelf. To put it more clearly, account will have to be taken of the need to harmonize the provisions concerning control with the rules governing the continental shelf system. Unlike the territories under the sea located beyond the limits of national jurisdiction, which are not as yet governed by crystallized rules of international law, the marine soil and subsoil within the limits of national jurisdiction come within the scope of clearly defined rules of international law. For example, access to those territories is already the subject of certain regulations, with which the agreement on demilitarization must not clash." (Ibid., para. 17)

(Mr. Dăcu, Romania)

85. Romania, as a party to the Geneva Convention on the Continental Shelf^{1/} — which lays down recognized rules for that portion of the marine soil and subsoil which comes under the jurisdiction of the sovereign State — considers that the agreement to be concluded must not contain, in that connexion, new forms of words affecting the free exercise of the sovereign rights of States on the continental shelf as laid down in the Convention, particularly in paragraph 1 of article 2. In spite of the existing controversies, we believe that the question of the rights of sovereign States over the continental shelf — the proper reflection of which in the treaty concerns most coastal countries — must be solved in conformity with their legitimate interests and the rules of international law.

86. Those are the views on the principal provisions of the draft treaty under discussion which the Romanian delegation wished to bring to the attention of the Committee.

The Conference decided to issue the following communiqué:

"The Conference of the Committee on Disarmament today held its 490th plenary meeting in the Palais des Nations, Geneva, under the chairmanship of H.E. Ambassador Roberto Caracciolo, representative of Italy.

"Statements were made by the representatives of Czechoslovakia, Pakistan, the United Arab Republic, Yugoslavia, the United States of America and Romania.

"The delegations of Argentina, Brazil, Burma, Ethiopia, India, Mexico, Morocco, Nigeria, Pakistan, Sweden, the United Arab Republic and Yugoslavia submitted a joint memorandum on the question of chemical and bacteriological (biological) methods of warfare (CCD/310).

"The delegation of the United States of America submitted a working paper on economic data monitoring as a means of verifying compliance with a ban on chemical weapons (CCD/311).

"The next meeting of the Conference will be held on Thursday, 27 August 1970, at 10.30 a.m."

The meeting rose at 12.15 p.m.

^{1/} United Nations Treaty Series, Vol. 499, pp. 311 et seq.